

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 17th day of November, 2014 the City Council of the City of Aransas Pass convened in a Regular Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Adan Chapa Mayor
 Vickie Abrego Mayor Pro Tem
 Ramiro Gomez Council Member
 Billy Ellis Council Member
 Phillip Hyatt Council Member

ABSENT:

ADMINISTRATIVE

PERSONNEL PRESENT: Allen Lawrence City Attorney
 Sylvia Carrillo City Manager
 Yvonne Stonebraker City Secretary

ADMINISTRATIVE

PERSONNEL ABSENT:

STAFF PRESENT: Bill Haines EMC/Harbor Master
 Eric Blanchard Police Chief
 Donna Cox Finance
 Manny Camarillo Parks and Rec Director
 Jeff Martin I.T.
 Michael Holmes Building Official
 Cory Elrod Code Enforcement
 J.P. Gonzales Meter Reader

OTHERS PRESENT: Vidal Conde & Seth Crocker/PTC, Ricky & Priscilla White, Cynthia Vasquez, Ricky Escalante, Donald & Jeanie Brummett, Kyle Alston, Tom & Mary Gunn, Rosemary Vega, Delmar McGlothlin/Little League Association, Ernie & Olivia Torres, Hope Comingore, Carol Salinas, Brittany Cunningham, Steve Knight/Tri County EMS, Pat Veteto/RVE, Ann Melton, Juan Perales, Jr./LNV, Ralph & Diana Eyhorn and Hal Jones.

There may have been others present who did not sign in.

1. CALL MEETING TO ORDER.

Mayor Chapa opened the meeting at 7:00 P.M.

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.

Mayor Chapa led the Invocation and the Pledge of Allegiance to the United States Flag.

3. CONSENT AGENDA – “ALL OF THE FOLLOWING ITEMS ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED WITH ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCILMEMBER SO REQUESTS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY”.

A. MINUTES OF NOVEMBER 3, 2014.

Motion Made By: Council Member Hyatt

Seconded By: Council Member Ellis

Votes: Aye Hyatt, Ellis, Abrego, Gomez, Chapa

Discussion: Council Member Hyatt made a motion to approve the consent agenda. Council Member Ellis seconded the motion and the motion carried unanimously.

4. CITIZENS' COMMENTS.

Name: Seth Crocker, Press Liaison for Pride of Texas Casino

Address: Corpus Chris

Concern: Mr. Crocker stated his goal was to bring a ship casino to Aransas Pass. He stated at a future meeting he would be bring a presentation on the goals and benefits of Aransas Pass.

Departments Affected:

Name: Carol Salinas

Address: Aransas Pass

Concern: Ms. Salinas believes a casino ship would be a great venture for Aransas Pass.

Departments Affected:

5. CITIZENS ACADEMY GRADUATION CEREMONY.

City Manager Sylvia Carrillo stated the first Aransas Pass Citizens Academy began on September 9th 2014 and ran for 10 straight weeks every Tuesday.

Mayor Chapa presented the Citizen Academy Certificates to Ms. Alice Rivera, Ms. Michelle Porrier, Ms. Bella Perago, Mr. Ralph Eyhorn, Ms. Polly Escamilla, Mr. Joe Elrod, Ms. Hope Davila, Ms. Brittany Cunningham, Ms. Hope Comingore and Ms. Jessica Bowen.

Police Chief Eric Blanchard presented the graduates a "Challenge Coin" for their participation and completion of the Citizens Academy.

City Manager Carrillo stated the next Citizen's Academy will begin around spring 2015.

6. CONSIDER AND ACT ON TAX RE-SALE PROPERTY:

A. SUIT NO. A-07-3063-TX-A; ARANSAS PASS INDEPENDENT SCHOOL DISTRICT, CITY OF ARANSAS PASS AND ARANSAS COUNTY VS JEFFREY A. DUAY, ET AL TRACT NO. 1: ACCT. NO. 0149-389-002-000, R12477; LOT 2, BLOCK 389, CITY OF ARANSAS PASS, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 3, PAGE 41, MAP RECORDS OF ARANSAS COUNTY, TEXAS. BID AMOUNT \$610.00; AMOUNT FOR CITY IS \$170.93

B. SUIT NO. A-07-3063-TX-A; ARANSAS PASS INDEPENDENT SCHOOL DISTRICT, CITY OF ARANSAS PASS AND ARANSAS COUNTY VS JEFFREY A. DUAY, ET AL TRACT NO. 2: ACCT. NO. 0149-389-004-000, R12479; LOTS 4, 5, 6, 7, 8, AND 9, BLOCK 389, CITY OF ARANSAS PASS, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 3, PAGE 41, MAP RECORDS OF ARANSAS COUNTY, TEXAS. BID AMOUNT \$3,680.00; AMOUNT FOR CITY IS \$912.70

C. SUIT NO. A-07-3063-TX-A; ARANSAS PASS INDEPENDENT SCHOOL DISTRICT, CITY OF ARANSAS PASS AND ARANSAS COUNTY VS JEFFREY A. DUAY, ET AL TRACT NO. 3: ACCT. NO. 0149-389-013-000, R74439; LOTS 13 AND 14, BLOCK 389, CITY OF ARANSAS PASS, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 3, PAGE 41, MAP RECORDS OF ARANSAS COUNTY, TEXAS. BID AMOUNT \$1,230.00; AMOUNT FOR CITY \$353.07.

Motion Made By: Council Member Hyatt

Seconded By: Mayor Pro Tem Abrego

Votes: Aye Hyatt, Abrego, Gomez, Ellis, Chapa

Discussion: Council Member Hyatt made a motion to approve all three tax re-sale properties in one fluid motion. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

7. CONSIDER AND ACT ON APPROVING BUILDING DEPARTMENT ITEMS:

A. PUBLIC HEARING ON THE REQUEST OF KYLE ALSTON FOR A CONDITIONAL USE PERMIT IN THE (GB) GENERAL BUSINESS ZONING DISTRICT FOR THE PROPERTY LOCATED AT 2200 E. TX HIGHWAY

**361, ARANSAS PASS, TEXAS FOR THE ZONING USE IN THE ZONING ORDINANCE USE TABLES: 10-216
MARINE: USE #242 BOAT DOCK OR MOORING- BUSINESS.**

Discussion: City Attorney Allen Lawrence opened the Public Hearing at 7:14 PM.

He asked if there was anyone present to speak on the request. Kyle Alston spoke on behalf of the request. Mr. Alston explained that technically there was no change in the use of the property. His property was rezoned a couple of years ago from AG to GB but he would need a conditional use permit for docking for business in order to be compliant with the codes. Prior to the business commenting during Citizens' Comments, Mr. Alston had been working with a company to place a gambling ship at his business. Mayor Chapa asked if everything went well, how long it would be until the business was operational. Mr. Alston replied that he guessed it would be the early part of 2015. City Manager Carrillo added that the ship and its owners had been vetted. A couple of issues were found but those have been resolved. She asked City Attorney Lawrence if the Conditional Use Permit was the right approach or if the use tables should be amended. City Attorney Lawrence agreed that the Conditional Use Permit would be the better approach but it would be okay to allow approval of the conditional use permit. Council member Gomez asked how long the ship was. Mr. Alston replied that it was 155 feet and it was very nice.

City Attorney Lawrence closed the Public Hearing at 7:19 PM.

B. CONSIDER AND ACT REQUEST OF KYLE ALSTON FOR A CONDITIONAL USE PERMIT IN THE (GB) GENERAL BUSINESS ZONING DISTRICT FOR THE PROPERTY LOCATED AT 2200 E. TX HIGHWAY 361, ARANSAS PASS, TEXAS FOR THE ZONING USE IN THE ZONING ORDINANCE USE TABLES: 10-216 MARINE: USE #242 BOAT DOCK OR MOORING- BUSINESS.

Motion Made By: Mayor Pro Tem Abrego

Seconded By: Council Member Ellis

Votes: Aye Abrego, Ellis, Gomez, Hyatt, Chapa

Discussion: Mayor Pro Tem Abrego made a motion to approve request of Kyle Alston for a Conditional Use Permit in the (GB) General Business zoning district for the property located at 2200 E. TX Highway 361, Aransas Pass, Texas for the zoning use in the Zoning Ordinance Use Tables: 10-216 Marine: Use #242 Boat dock or mooring- business. Council Member Ellis seconded the motion and the motion carried unanimously.

C. PUBLIC HEARING ON REDEFINING THE TERM HOME OCCUPATION WITHIN THE CITY OF ARANSAS PASS.

Discussion: City Attorney Lawrence opened the Public Hearing at 7:20 PM.

He asked if there was anyone present to speak on the request. City Manager Carrillo explained that this was an attempt to clarify what home occupations would be allowed in a residential area. Home occupations cause little traffic and are related to what would be essential in a neighborhood. It is an approved accessory use within the residential zone. It would be allowed in any residential area and is incidental and secondary to the primary occupancy of the home. There would be no interruption, congestion or change in character of the neighborhood. Also, it shall not use any more than 25% of the gross floor area. Specific uses such as an accountant, an attorney, a dressmaker and an artist were used as examples. Heavier commercial businesses should be allowed only in a commercial corridor, not a residential. Businesses who are already doing those services through their homes are grandfathered. This would only apply to new businesses.

City Attorney Lawrence closed the Public Hearing at 7:23 PM.

D. CONSIDER AND ACT ON REDEFINING THE TERM HOME OCCUPATION WITHIN THE CITY OF ARANSAS PASS.

Motion Made By: Council Member Ellis

Seconded By: Council Member Hyatt

Votes: Aye Ellis, Hyatt, Abrego, Gomez, Chapa

Discussion: Council Member Ellis made a motion to approve redefining the term Home Occupation within the City of Aransas Pass. Council Member Hyatt seconded the motion and the motion carried unanimously.

E. PUBLIC HEARING ON ASSIGNING ZONING DISTRICTS WHERE HOME OCCUPATION IS AN APPROVED USE WITHIN THE CITY OF ARANSAS PASS.

Discussion: City Attorney Lawrence opened the Public Hearing at 7:24 PM.

He asked if there was anyone present to speak on the request. City Manager Carrillo explained that it needed to be included as an allowed use on the use table. In the future, the City would have the businesses register and give them a certificate of occupancy to operate out of the home. This would give the City a mechanism to track businesses, particularly in emergency situations.

City Attorney Lawrence closed the Public Hearing at 7:25 PM.

F. CONSIDER AND ACT ON ASSIGNING ZONING DISTRICTS WHERE HOME OCCUPATION IS AN APPROVED USE WITHIN THE CITY OF ARANSAS PASS.

Motion Made By: Mayor Pro Tem Abrego

Seconded By: Council Member Hyatt

Votes: Aye Abrego, Hyatt, Gomez, Ellis, Chapa

Discussion: Mayor Pro Tem Abrego made a motion to approve assigning Zoning Districts where Home Occupation is an approved use within the City of Aransas Pass. Council member Hyatt seconded the motion and the motion was approved unanimously.

G. PUBLIC HEARING ON THE REQUEST OF ROBERT LAWSON TO RE-ZONE FROM (R7B) SINGLE-FAMILY DWELLING DISTRICT TO A (MH) MANUFACTURED HOME DISTRICT WITHIN THE CITY OF ARANSAS PASS FOR THE PURPOSE OF CONVERTING THE PROPERTY TO A RV PARK. THE PROPERTY IS DESCRIBED BURTON & DANFORTH S/D, BLOCK 214, LOT 10, ACRES 5.0, 1121 W. MOORE AVE., ARANSAS PASS, TEXAS. THE PROPERTY IS CURRENTLY ZONED (R7B) SINGLE-FAMILY DWELLING DISTRICT.

Discussion: City Attorney Lawrence opened the Public Hearing at 7:26 PM. He also mentioned that the Planning and Zoning Commission recommended denial of the request.

He asked if there was anyone present to speak on the request. No one spoke. City Attorney Lawrence explained that the notes in the packet should explain the background of the property. It had been operating as an RV Park without having any permits of any sort and continually adding to the property also without permitting.

City Attorney Lawrence closed the Public Hearing at 7:27 PM.

H. CONSIDER AND ACT ON REQUEST OF ROBERT LAWSON TO RE-ZONE FROM (R7B) SINGLE-FAMILY DWELLING DISTRICT TO A (MH) MANUFACTURED HOME DISTRICT WITHIN THE CITY OF ARANSAS PASS FOR THE PURPOSE OF CONVERTING THE PROPERTY TO A RV PARK. THE PROPERTY IS DESCRIBED BURTON & DANFORTH S/D, BLOCK 214, LOT 10, ACRES 5.0, 1121 W. MOORE AVE., ARANSAS PASS, TEXAS. THE PROPERTY IS CURRENTLY ZONED (R7B) SINGLE-FAMILY DWELLING DISTRICT.

Motion Made By: Mayor Pro Tem Abrego (Motion to deny)

Seconded By: Council member Ellis

Votes: Aye Abrego, Hyatt, Gomez, Ellis, Chapa

Nay

Discussion: City Manager Carrillo explained that safety precautions of the park could not be assessed. It was discovered and the owner was asked to pull permits. All of the connections currently there were a hazard to the City's water supply and it would be at the cost of the taxpayers. Mayor Pro Tem Abrego asked if the Council chose to deny the request, what would happen with the existing RVs there. City Manager Carrillo replied that because the owner did not pull a permit, staff would have the owner remove the RVs from the property. Mayor Pro Tem Abrego made a motion to deny the request of Robert Lawson to re-zone from (R7B) Single-Family Dwelling District to a (MH) Manufactured Home District within the City of Aransas Pass for the purpose of

converting the property to an RV Park. The property is described Burton & Danforth S/D, Block 214, Lot 10, Acres 5.0, 1121 W. Moore Ave., Aransas Pass, Texas. The property is currently zoned (R7B) Single-Family Dwelling District. Council Member Ellis seconded the motion and the motion carried unanimously.

I. CONSIDER AND ACT ON PROPOSED DEVELOPMENT AGREEMENT FOR ROY AND CYNTHIA VASQUEZ. THE PROPERTY IS DESCRIBED AS BURTON & DANFORTH S/D, BLOCK A, PART OF LOT 5, ACRES 5.0, RHODES AVE. & BEASLEY AVE. ARANSAS PASS, TEXAS. THE PROPERTY IS ZONED (R16) SINGLE-FAMILY DWELLING DISTRICT.

Motion Made By: Council member Ellis

Seconded By: Council member Hyatt

Votes: Aye Abrego, Hyatt, Gomez, Ellis, Chapa

Discussion: City Manager Carrillo explained that the Vasquez have approached the City about building. They have no access to sewer or water and do not have a problem with paying their current tap fee to tie on at a later date. Council member Hyatt asked for clarification on which part of Rhodes the property was located at. Mrs. Vasquez replied that it was on the paved portion of Rhodes, between 12th and Saunders.

Council Member Ellis made a motion to approve a proposed development agreement for Roy and Cynthia Vasquez. The property is described as Burton & Danforth S/D, Block A, Part of Lot 5, Acres 5.0, Rhodes Ave. & Beasley Ave. Aransas Pass, Texas. The property is zoned (R16) Single-Family Dwelling District. Council Member Hyatt seconded the motion and the motion carried unanimously.

8. CONSIDER AND ACT ON APPROVING SAN PATRICIO APPRAISAL DISTRICT ITEMS:

A. SELECTION OF A NOMINEE: VICTOR GALVAN DAN MOORE

Motion Made By:

Seconded By:

Votes: Aye

Discussion: City Manager Carrillo said that a poll would be taken to select the nominee. The votes were cast as follows:

Mayor Chapa – Victor Galvan

Mayor Pro Tem Abrego – Dan Moore

Council Member Hyatt – Victor Galvan

Council Member Gomez – Victor Galvan

Council Member Ellis– Victor Galvan

Victor Galvan was selected as the nominee. Mayor Chapa thanked both gentlemen for applying for the position.

B. APPROVAL OF RESOLUTION NO. 2014-743 CASTING 1 VOTE FOR THE CITY OF ARANSAS PASS.

Motion Made By: Council Member Ellis

Seconded By: Council Member Hyatt

Votes: Aye Ellis, Hyatt, Gomez, Chapa

Nay Abrego

Discussion: Council Member Ellis made a motion to approve Resolution No. 2014-743 casting 1 vote for the City of Aransas Pass for Mr. Victor Galvan. Council Member Hyatt seconded the motion and the motion carried with Mayor Pro Tem Abrego voting no.

9. CONSIDER AND ACT ON MODIFYING HOURS OF OPERATION: CIVIC CENTER AND LIBRARY, 2014 CALENDAR YEAR

Motion Made By: Mayor Pro Tem Abrego

Seconded By: Council Member Hyatt

Votes: Aye Abrego, Hyatt, Gomez, Ellis, Chapa

Discussion:

City Manager Carrillo explained that these two City facilities are in very busy in the holidays. The Civic Center has been so busy that Civic Center Manager Sarah Lee met her first quarter quota by October. The staff had incurred a lot of comp time and City Manager Carrillo would like to allow them a week off when no events are scheduled. Also, there is not a lot of activity at the library during the holidays, so she is requesting they also have time off. Mayor Pro Tem Abrego made a motion to approve modifying hours of operation: Civic Center and Library, 2014 Calendar Year. Council Member Hyatt seconded the motion and the motion carried unanimously.

10. **CONSIDER AND ACT ON FACILITY LEASE AGREEMENT BETWEEN THE CITY OF ARANSAS PASS AND THE ARANSAS PASS LITTLE LEAGUE ASSOCIATION.**

Motion Made By: Mayor Pro Tem Abrego

Seconded By: Council Member Ellis

Votes: Aye Abrego, Ellis, Gomez, Hyatt, Chapa

Discussion: City Manager Carrillo explained that the item was the standard facility lease agreement that had been in place since 2009. Delmar McGlothlin is the new president. It has never been a formalized agreement. Mr. McGlothlin explained to the Council that a proposed change would be allowing use of the facility from January 1 to December 31 to allow for year-round baseball. The Little League would do all maintenance. The Houston Astros also will be helping with fundraising, etc. Mayor Tem Abrego asked about the Youth Football League using the area for practice while the Little League had sole usage. City Manager Carrillo replied that once the agreement was made, other renters would have to go through the Little League in order to use the facility. Mr. McGlothlin said that they would more than happy to allow them to use the facility. Mayor Pro Tem Abrego also questioned the item that required the City to maintain the fields. Mr. McGlothlin said that the item was on the prior agreement, and they were only liable for mowing the fields, just the back outside near the lake. Mayor Chapa asked if the League was a 501c3. Mr. McGlothlin and Mayor Pro Tem Abrego confirmed that it was. Council member Hyatt asked Mr. McGlothlin to re-state the dates of usage. Mr. McGlothlin replied that it was January 1 through December 31. Mayor Pro Tem Abrego asked about the changing of officers. Mr. McGlothlin said that the voting process was changing to reflect the new time period with an October voting period.

City Manager Carrillo explained that there was about to be a lot of work starting there, removing gravel. Mr. McGlothlin said that it should not disrupt their operations. Mayor Pro Tem Abrego asked about the entry fee for tournaments and asked for clarification on wording. District assigned tournaments will not be charged fee. Also, a change to the contract for routine maintenance and replacement as needed of spectator netting was also requested.

Mary Gunn, W. Wheeler Avenue, commented that her boys were very active in Little League and Football. Her boys would rather play Fall Ball. It would be beneficial to keep the kids here.

Joseph Cooper, Wehring Lane, is the Vice President of the organization and commented that they were not looking to have the City do everything. They just needed a push in the right direction to get going.

Mayor Pro Tem Abrego made a motion to approve a Facility Lease Agreement between the City of Aransas Pass and the Aransas Pass Little League Association with changes. Council Member Ellis seconded the motion and the motion carried unanimously.

11. **CONSIDER AND ACT ON CHANGE ORDER REQUEST NO.1 NOT TO EXCEED \$15,000 FOR VETERAN'S MEMORIAL PARK.**

Motion Made By: **Passed On**

Seconded By:

Votes: Aye

12. **CONSIDER AND ACT ON REQUEST FOR REIMBURSEMENT FROM THE SAN PATRICIO DRAINAGE DISTRICT IN THE AMOUNT OF \$9,013.50 FOR THE REPLACEMENT OF THE GOODNIGHT AND HUFF PUMP STATION AND BUILDINGS AND REWIRING OF ELECTRICAL FOR THE GOODNIGHT LIFT STATION.**

Motion Made By: Council Member Hyatt

Seconded By: Mayor Pro Tem Abrego

Votes: Aye Hyatt, Abrego, Gomez, Ellis, Chapa

Discussion: City Manager Carrillo explained that backup and associated engineering were with the items and would be paid for with Drainage District funds.

Council Member Hyatt made a motion to approve request for reimbursement from the San Patricio Drainage District in the amount of \$9,013.50 for the replacement of the Goodnight and Huff Pump Station and buildings and rewiring of electrical for the Goodnight Lift Station. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

13. CONSIDER AND ACT ON APPROVING POLICE DEPARTMENT ITEMS:

A. ORDINANCE NO. 2014-4095 - AN ORDINANCE AMENDING THE ARANSAS PASS CODE OF ORDINANCES BY ADDING SEC. 25-6 "EXCESSIVE FORCE PROHIBITED"; AND, PROVIDING FOR AN EFFECTIVE DATE.

Motion Made By: Council Member Ellis

Seconded By: Council Member Hyatt

Votes: Aye Ellis, Hyatt, Abrego, Gomez, Chapa

Discussion: Chief Blanchard explained that this was just a formality that was required by a CDBG grant the City was pursuing. Excessive force is prohibited by the department already but it has to be formally codified.

Council Member Ellis made a motion to approve Ordinance No. 2014-4095 - an ordinance amending the Aransas Pass Code of Ordinances by adding Sec. 25-6 "Excessive force prohibited"; and, providing for an effective date. Council Member Hyatt seconded the motion and the motion carried unanimously.

B. RESOLUTION NO. 2014-744 - A RESOLUTION ESTABLISHING RULES AND REGULATIONS REGARDING THE USE OF EXCESSIVE FORCE DURING NONVIOLENT CIVIL RIGHTS DEMONSTRATIONS, INCLUDING PHYSICALLY BARRING ENTRANCE TO A FACILITY OR LOCATION WHICH IS THE SUBJECT OF SUCH DEMONSTRATION, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF IN THE CITY OF ARANSAS PASS, STATE OF TEXAS.

Motion Made By: Mayor Pro Tem Abrego

Seconded By: Council Member Hyatt

Votes: Aye Abrego, Hyatt, Gomez, Ellis, Chapa

Discussion: Chief Blanchard explained that this was the formal resolution that was required for grant maintenance.

Mayor Pro Tem Abrego made a motion to approve Resolution No. 2014-744 - a resolution establishing rules and regulations regarding the use of excessive force during nonviolent civil rights demonstrations, including physically barring entrance to a facility or location which is the subject of such demonstration, and providing penalties for violations thereof in the City of Aransas Pass, State of Texas. Council Member Hyatt seconded the motion and the motion carried unanimously.

C. RENEWAL OF CONTRACTED SERVICES WITH CODERED TO PROVIDE THEIR EMERGENCY PUBLIC ALERT SYSTEM SAAS FOR THREE (3) YEARS.

Motion Made By: Mayor Pro Tem Abrego

Seconded By: Council Member Hyatt

Votes: Aye Abrego, Hyatt, Gomez, Ellis, Chapa

Discussion: Chief Blanchard explained that this item was talked about this year. Code Red has adopted a better solution. He was concerned that if systems were switched now, they would lose subscribers. Most contacts are going to emails and phones. We did not want to lose data. Solution offers everything that they were looking at their competitor for. It was negotiated to a three year contract, saving him an annual \$1,500.

Mayor Pro Tem Abrego made a motion to approve renewal of contracted services with CodeRed to provide their emergency public alert system SAAS for three (3) years. Council Member Hyatt seconded the motion and the motion carried unanimously.

14. **CITY MANAGER UPDATES: CONN BROWN HARBOR, ARANSAS PASS THANKSGIVING FEAST, VETERANS MEMORIAL PARK, COMMUNITY PARK, FM 1069 WATERLINE PROJECT, FM 2725 WATERLINE PROJECT, MATLOCK WATERLINE GRANT, ANNEXATION, ETJ DEVELOPMENT**

Discussion: City Manager Carrillo updated Council on the leak on the Harbor along the Erickson & Jensen lease. Mayor Chapa asked if they were able to pinpoint the leak. City Manager Carrillo replied that they were still investigating the situation. Concrete crushing is also ongoing. Some of the foundations were 8 feet deep. Testing of the concrete showed that there was no asbestos. Staff met with the GLO regarding the Bulkhead Repair project, which is on target and on budget. Bids should be out in a few months and should be completed in June. Bulkhead inspection was completed and a capital improvement plan will be needed to repair. The Thanksgiving Feast would be held that Wednesday at the Civic Center. Many volunteers and organizations will be helping at the event. Veterans' Park would have a change order regarding the concrete work. Loads of pea gravel will be removed from Community Park, using some of it throughout the City as possible. A change order would be presented on December 1st to include an ADA accessible playground.

The City received an Attorney General's opinion on annexation notices since there was some concerns with the records at the appraisal district. The City would not be held liable because it is relying on the information available at the time. Mr. Johnny Perales, Jr. from LNV gave an update on the FM 1069 project. Completion should occur that week. Part of the 1069 grant includes having people sign up to get city services. They have not had much success but a neighborhood meeting will be held to educate the public about the services offered. If there are not enough people signing up, the City has to give back \$500,000. Additionally, the notice to bidders for the FM 2725 waterline project should be published in next Wednesday's local paper. Various contractors would also be contacted directly. The process would take four to six weeks, and construction should start at the first of the year. The Matlock water line construction is complete, the final draw complete and the final closeout is being completed by GrantWorks. Area research was being worked on for annexation. Data was not matching up and they were concerned with using questionable information. After the opinion, they are looking at expediting the annexation process.

DEPARTMENT UPDATE: POLICE DEPARTMENT, FINANCE DEPARTMENT

Discussion: Police Chief Blanchard updated the City Council on service calls; traffic stops; citations; violations; arrests; juvenile detentions; code enforcement; aggravated assaults; home invasion-update; Halloween; Hot Hit, Cop Tip for Facebook; and police training.

Finance Director Donna Cox gave an update on the preliminary 2013-14 year-end figures. The general fund was \$5,000 within budget. There was an extra \$70,000 in the debt services fund. The water-sewer fund is to the positive of \$110,000. The City was down on revenues but expenses were controlled. The Harbor fell short of making its contribution to the general fund at around \$15,000 but this is correlated to the tax bills found at the beginning of the fiscal year that the City had to pay. If those did not have to be paid, it would have been over by \$25,000. After a transfer of \$156,000, the Aquatics Center still fell short \$72,000. The Civic Center lost \$203,000, which is better than what they budgeted, and the MDD will cover the shortfall. City Manager Carrillo explained that the expected shortfall was around \$240,000, so the shortfall was better than expected. The Citizens' Collection fund was also a similar situation. It was expected to have a transfer from the General Fund of \$132,000 but will only require a transfer of \$116,000. The Sanitation Fund was in the positive with an amount of \$115,000. The grand total was above budget \$370,000. Staff will come before Council for a budget amendment to put money in reserves. Mayor Chapa thanked staff for their hard work.

City Manager Carrillo also gave an update on the backflow preventer memorandum that will come before council at the December 1 meeting.

15. **RECESS OPEN MEETING AND RETIRE TO EXECUTIVE SESSION PURSUANT TO CHAPTER 551 OF TEXAS GOVERNMENT CODE.**

Mayor Chapa recessed the Open Meeting and retired to Executive Session at 8:16 PM

A. SECTION 551.072 – DELIBERATIONS REGARDING REAL PROPERTY – CONN BROWN HARBOR

B. SECTION 551.071 – CONSULTATION WITH CITY ATTORNEY – NAISMITH ENGINEERING

C. SECTION 551.071 – CONSULTATION WITH CITY ATTORNEY – J.M. DAVIDSON

16. RECONVENE IN OPEN MEETING AND CONSIDER AND ACT ON FINDINGS OF EXECUTIVE SESSION.

Mayor Chapa reconvened the Open Meeting at 9:42 PM

A. SECTION 551.072 – DELIBERATIONS REGARDING REAL PROPERTY – CONN BROWN HARBOR

B. SECTION 551.071 – CONSULTATION WITH CITY ATTORNEY – NAISMITH ENGINEERING

C. SECTION 551.071 – CONSULTATION WITH CITY ATTORNEY – J.M. DAVIDSON

Motion Made By: **No Action Taken on Any Items.**

Seconded By:

Votes: Aye

17. ADJOURNMENT OF MEETING.

Motion Made By: Council Member Hyatt

Seconded By: Council Member Ellis

Votes: Aye Hyatt, Ellis, Abrego, Gomez, Chapa

Discussion: Council Member Hyatt made a motion to adjourn the meeting. Council Member Ellis seconded the motion and the motion carried unanimously. Mayor Chapa adjourned the meeting at 9:43 p.m.

Adan Chapa, Mayor

Attest:

Yvonne Stonebraker, City Secretary